

1 UNITED STATES OF AMERICA,)
 2)
 3 Plaintiff,)
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 5 v.)
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 7 Tracy Carson,)
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 9 Defendant.)
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No. CR-10-0683-DLJ

ORDER RE: RESTITUTION

On April 29, 2011, defendant Tracy Carson entered a plea of guilty to Count One of the Indictment, Bank Fraud in violation of 18 U.S.C. §1344. On August 19, 2011 this Court sentenced defendant to a term of three years of probation and \$100 special assessment. At the sentencing, the Court also ordered the defendant to pay restitution, an element of the plea agreement already agreed to by the parties. In the plea agreement, defendant admits that she engaged in a scheme to defraud Washington Mutual Bank by preparing and transmitting fraudulent home loan applications. The plea agreement calls for a restitution payment to the banks of \$671,000 related to two separate home loan transactions.

At the sentencing the Court had some questions as to the basis for the \$671,000 figure and requested further information from the United States Attorney's office so that the Court could ensure that it was making an appropriate order of restitution.

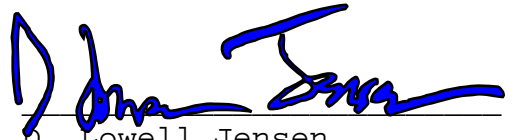
On October 28, 2011 the government filed a memorandum setting out the basis for the \$671,000 figure. The Court reviewed that filing and had further questions as to whether there should be any

1 set-offs to the restitution amount based on any payments which
2 might have been made on the loans prior to the time the properties
3 went into default.

4 The government has now provided the Court with information
5 from the bank that there are no set-offs to the loan amount.
6 Therefore, it appears that the amount set out for restitution in
7 the plea agreement of \$671,000 is the correct final amount and the
8 Court orders that defendant pay restitution in that amount.
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11 IT IS SO ORDERED
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13 Dated: January 6, 2012
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15 D. Lowell Jensen
16 United States District Judge
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